

Report Date: September 4, 2009

United States District Court

for the

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Eastern District of Washington

SEP 11 2009

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Patricio Zamora

Case Number: 2:04CR00168-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley

Date of Original Sentence: 2/10/2005

Type of Supervision: Supervised Release

Original Offense: Attempt to Distribute at Least 2
Kilograms but Less Than 3.5 Kilograms of Cocaine,
21 U.S.C. § 846

Date Supervision Commenced: 8/7/2008

Original Sentence: Prison - 46 Months; TSR - 48
Months

Date Supervision Expires: 8/6/2012

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 19 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.
- 20 You shall not enter into or remain in any establishment where alcohol is the primary item of sale.

CAUSE

On August 20, and 25, 2009, Patricio Zamora submitted urine samples, which tested positive for cocaine. The defendant related that on August 19, 2009, he started drinking alcohol with some friends, which eventually lead to his use of cocaine. Mr. Zamora admits to having substance abuse issues, and acknowledged that he is unable to control his drinking. The defendant requested an opportunity to participate in an inpatient treatment program, and mentioned he believed he stood a better chance of staying clean and sober if he had a condition which prohibited him from consuming alcohol and frequenting bars and taverns. Mr. Zamora recently moved from Toppenish, Washington, to Kennewick, Washington, in an attempt to distance himself from his friends and associates. He is currently scheduled to enter a 21-day inpatient treatment program at Sundown M Ranch on September 4, 2009. Upon completion of his inpatient treatment program he will be referred to First Step Community Counseling for aftercare services.

Prob 12B

Re: Zamora, Patricio

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Based on the above information, this officer respectfully recommends the defendant's conditions of supervision be modified as noted in this petition. Attached is a waiver signed by the defendant agreeing to the modifications of his supervised release.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

9/4/09

Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

[Signature]

Signature of Judicial Officer

9/11/09

Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my conditions of probation and supervised release or to the proposed extension of my term of supervision:

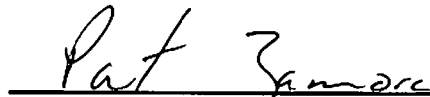
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Witness:


Jose Vargas
U.S. Probation Officer

Signed:


Patricio Zamora
Probationer or Supervised Releasee

September 4, 2009

Date